



**Jim Doyle, Governor**  
Mary P. Burke, Secretary

## Wisconsin Department of Commerce, Bureau of PECFA

### Bid Document

#### SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

**Bid Round:** 48  
**Comm #:** 53818-3642-25  
**BRRTS #:** 03-22-104781  
**Site Name:** Heer Oil Company Inc  
**Site Address:** 325 Lily Street, Platteville, 53818  
**Site Manager:** Linda Hanefeld  
**Address:** 3911 Fish Hatchery Rd  
**City, State Zip:** Fitchburg, WI 53711-5367  
**Phone:** 608-275-3310  
**e-mail:** Linda.Hanefeld@wisconsin.gov  
**Bid Manager:** Andrew Alles  
**Address:** P.O. Box 8044  
**City, State Zip:** Madison, Wisconsin 53708-8044  
**Phone:** (608) 261-8509  
**e-mail:** Andy.Alles@Wisconsin.Gov

<b>Bid-Start Date:</b>	<b>March 19, 2007</b>
<b>Questions must be received by (See Section 2 (B)):</b>	<b>April 09, 2007, 4:00 PM</b>
<b>Responses will be posted by (See Section 2 (B)):</b>	<b>April 20, 2007, 4:00 PM</b>
<b>Bid-End Date and Time:</b>	<b>May 11, 2007, 4:00 PM</b>

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

**Action Legal-Madison, 1 E Main, Madison, WI 53703**  
**Phone: (608) 663-1041 Fax: (608) 663-1045**

## **SECTION 2 – Site-Specific Bid Requirements**

### General Comments:

In August 99, two (2) USTs (1x560 gallon no-lead gas; 1x1000 fuel oil) were removed from north of the office. A tank assessment was not performed because PECFA-eligibility had already been established based on samples collected in 1996. Two (2) ASTs having secondary containment were installed in the near vicinity of the former UST tank bed. Nine (9) ASTs, ranging in size from 8000-19,000 gallons (containing fuel oil, diesel and no-lead gasoline) were removed August 2001 and were replaced by eight (8) ASTs having similar contents. The new active ASTs are located east of the former AST area.

There are 2 municipal wells located within 350 feet of the site. The Phase III report indicates that as of September 2004, the municipal wells do not appear to be impacted by contamination from the site.

Soils at the site generally consist of 2 feet of sand and gravel fill underlain by silty clay. Sandy dolomite bedrock was encountered at depths ranging from 5 to 16 feet below ground surface (bgs). In some borings fill containing cement, cinders, and wood were encountered to a depth of 8 feet bgs. There has been no soil remediation to date. The area primarily affected by soil contamination above NR746 values appears to be associated with the former ASTs (borings B-5 and B-11). DRO and GRO are above the recommended NR720 RCL in the vicinity of B-7, which is located near the former UST tank bed.

Depth to groundwater is approximately 42 feet bgs; wells are installed into the bedrock between 52 to 57 feet bgs. Groundwater flow has been shown to fluctuate from west-southwest to east, with the majority of data indicates flow is to the southeast to east. Hydraulic gradients ranged from 0.013 to 0.025 feet/feet. Rountree Branch of the Little Platte River is approximately 100 feet southwest of the property.

There are no buried utilities on the property and it is doubtful that utility corridors are playing a role in contaminant migration.

### Minimum Remedial Requirements:

A compliant bid will include a completed "page 2" of the bid response document.

Excavate highly impacted soil exceeding NR 746, Table 1 values. For the purposes of this bid, the bidder shall assume the handling, transportation and disposal of **a minimum of 3500 tons but no more than 4000 tons** of impacted soil. Backfill material of a suitable volume and nature will need to be brought in to return the site to its current elevation.

Existing groundwater monitoring well MW-1 shall be properly abandoned prior to starting the excavation activities.

Remedial excavation will measure approximately 90 feet east/west by 80 feet north/south and extend to the dolomite bedrock surface (between 12 and 15 feet bgs).

The excavation shall start in the former AST area and include all of the former AST area between the warehouse building and the gravel road. After that, the excavation shall move to the south. The excavation shall also remove soil around soil borings G-1, G-4, G-5, G-6, G-7, B-11, G-9 and G-10.

Based upon soil boring data from borings G-6, G-7 and G-10, there may be up to 4 feet of overburden in that area that is not extremely contaminated and could be stockpiled on-site and placed back in the excavation. This would allow for more of the highly contaminated soil to be excavated and disposed. If this overburden is not replaced on-site, then it will need to be managed as a solid waste. **Keep in mind the excavation is not to exceed 4000 tons and the idea is to remove the most highly contaminated soil from the site.** If site conditions allow, the excavation should trend toward monitoring well MW-3 and soil boring B-12, without destroying MW3. The excavation should not affect MW-2.

Soil confirmation samples shall be collected and analyzed along the sidewalls and base (if applicable) of the excavation at the appropriate intervals and transportation confirmation soil samples shall be collected for every 300 cubic yards of soil removed.

Monitoring well MW1 will be replaced after the excavation has been backfilled and prior to beginning the groundwater monitoring.

#### **Groundwater monitoring:**

Four quarterly groundwater monitoring events will be conducted at the site following the excavation activities in accordance with the schedule outlined below.

Water table elevations, depth to product (if present) and product thicknesses, must be recorded from all wells during all monitoring events.

Monitoring wells	Parameters	Frequency
MW1R, MW2, MW3, MW4, MW5, MW6, PZ1	PVOCs plus naphthalene	Quarterly

This is intended to provide the Department with recent groundwater data from the site upon which to evaluate the site for closure.

Water table elevations shall be collected from all wells during each sampling event. The DNR project manager shall be contacted immediately if free product is encountered. The Department of Natural Resources (DNR) Project Manager shall be contacted if any well is dry during any monitoring event. The DNR Project Manager must be alerted to any other unusual occurrence(s) at the site as soon as practical after they are discovered.

#### **Report requirements:**

Prepare brief summary reports containing the results of the soil excavation, including a table of the soil analytical results following the soil excavation and of the groundwater analytical results after each sampling round.

Prepare a final summary report after the completion of the activities outlined above including updated tables, maps, etc.

### **SECTION 3 - Reporting Timeframes**

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

#### Claim Submittal:

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

### Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

### **SECTION 4 - Conditions of Bid**

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

## **SECTION 5 - Instructions to Bidders**

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in

this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

## **SECTION 6 - Bidder Disqualification**

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
  - a. Pay subcontractors after receiving payment for them.
  - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

## BID RESPONSE

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Department of Commerce PECFA Program

**SITE NAME:** Heer Oil  
**COMMERCE #:** 53818-3642-25  
**BRRTS #:** 03-22-104781

Submit Bid Response To: Cathy Voges  
Public Bid Response  
Department of Commerce PECFA Bureau  
201 W Washington Ave, Madison WI 53703-2790 or  
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: \_\_\_\_\_

Complete Mailing \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: (     )     - \_\_\_\_\_

Fax Number: (     )     - \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: \_\_\_\_\_

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

**BID RESPONSE**  
**(2<sup>nd</sup> Page)**

Department of Commerce PECFA Program

**SITE NAME: Heer Oil**

**COMMERCE #: 53818-3642-25**

**BRRTS #: 03-22-104781**

**Consulting Firm Name:** \_\_\_\_\_

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Install one monitoring well	\$	
2	Monitoring (include analytical cost for PVOcs and Napthalene) per event (6 monitoring wells and 1 piezometer for a total of 7 wells)	\$	
3	Number of Monitoring Events	X	4
4	Monitoring Subtotal (Row 2 X Row 3)	\$	
5	Survey Monitoring Well Network to Mean Sea Level	\$	
6	Soil Excavation Costs per Ton (Include excavation, transportation, disposal, confirmation sampling, backfilling, etc.)	\$	
7	Number of Tons to be Excavated		
8	Soil Excavation Costs (Row 6 X Row 7)	X	
9	Documentation (reports, correspondence, updated maps, tables, etc.)	\$	
10	Other (If Necessary), specify	\$	
11	Bid Total	\$	